

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
VS.	§	Criminal Action H-20-CR-00455
	§	
ZHENG DONG CHENG	§	

**ZHENG DONG CHENG’S FOURTH SUPPLEMENT TO
MOTION TO REVOKE ORDER OF DETENTION**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE ANDREW S. HANEN:

ZHENDONG CHENG, Defendant, (“Dr. Cheng”) supplements his *Opposed Motion to Revoke Order of Detention* ([ECF No. 30](#)) as follows:

In its response, the Government alleged that the potential sentence for Dr. Cheng was one factor justifying his continued detention, arguing, “Cheng faces a lengthy prison sentence upon conviction, and simply has no motive to remain in the United States to stand trial.” ([ECF No. 32](#) at p. 6). Recent similar “China Initiative” cases (resolved by guilty pleas unless noted otherwise) demonstrate any potential sentence in this case does not justify detention.

A. United States v. Meyya Meyyapan

On June 16, 2021, Meyya Meyyapan, a former NASA scientist was sentenced to thirty (30) days imprisonment and a \$100,000 fine for making false statements to federal agents regarding his participation in China’s “Thousand Talents Programs” and professorship at a Chinese university in violation of 18 U.S.C. 1001. *United States v. Meyyapan*, No. 1:21-cr-00022-PKC at [ECF No. 20](#) (S.

Dist. N.Y. June 16, 2021)(Castel, J.).¹

B. United States v. Song Guo Zheng

On May 14, 2021, Song Zheng was sentenced to thirty-seven (37) months imprisonment and ordered to pay more than \$3.8 million in restitution, for making false statements as part of a research grant fraud scheme in violation of 18 U.S.C. 1001. *United States v. Zheng*, 2:20-cr-00182-ALM at [ECF at No. 51](#) (S. Dist. Ohio May 14, 2021)(Marbley, J.).²

C. United States v. Turab Lookman

On September 11, 2020, Turab Lookman, a former employee of Los Alamos National Laboratory, was sentenced to five years probation and a \$75,000 fine for making false statements regarding his participation in China's "Thousand Talents Program" in violation of 18 U.S.C. 1001. *United States v. Lookman*, No. 1:19-cr-01439-WJ at [ECF No. 59](#) (Dist. N. Mex. Sept. 10, 2020)(Johnson, J.).³

D. United States v. Anming Hu

On June 16, 2021, the Department of Justice failed to convict University of Tennessee professor Anming Hu for various offenses similar to those charged against Cheng relating to his alleged failure to disclose China ties to his employer and NASA. A mistrial was declared after the

¹ Department of Justice, "Senior Nasa Scientist Sentenced To Prison For Making False Statements Related To Chinese Thousand Talents Program Participation And Professorship" (June 16, 2021) available at <https://www.justice.gov/usao-sdny/pr/senior-nasa-scientist-sentenced-prison-making-false-statements-related-chinese-thousand> (last viewed June 25, 2021).

² Department of Justice, "University Researcher Sentenced to Prison for Lying on Grant Applications to Develop Scientific Expertise for China" (May 14, 2021) available at <https://www.justice.gov/opa/pr/university-researcher-sentenced-prison-lying-grant-applications-develop-scientific-expertise> (last viewed June 25, 2021).

³ Department of Justice, "Former Employee At Los Alamos National Laboratory Sentenced To Probation For Making False Statements About Being Employed By China" (September 15, 2020) available at

jury was unable to reach a verdict.⁴ Trial testimony has caused three members of the U.S. House Judiciary Committee to request the Department of Justice Inspector General to investigate FBI conduct in the case and aspects of the DOJ's "China Initiative."⁵ Hu, a Canadian citizen, was released pre-trial subject to home confinement and electronic monitoring. *United States v. Hu*, No. 3:20-cr-00021-TAV-DCP at ECF [No. 14 and 15](#), p. 15. (E. Dist. Tenn. March 26, 2020)(Poplin, U.S. Magistrate).

CONCLUSION

Dr. Cheng requests the Court grant the Motion, revoke the detention order and release him upon appropriate conditions.

Respectfully Submitted,

HILDER & ASSOCIATES, P.C.

/s/ Q. Tate Williams

Quentin Tate Williams

Texas Bar No. 24013760

Philip H. Hilder

Texas Bar No. 09620050

819 Lovett Blvd.

Houston, Texas 77006

(713) 655-9111—telephone

(713) 655-9112—facsimile

tate@hilderlaw.com

philip@hilderlaw.com

<https://www.justice.gov/opa/pr/former-employee-los-alamos-national-laboratory-sentenced-probation-making-false-statements> (last viewed June 28, 2021).

⁴ Satterfield, Jaime, "Trump administration's first 'China Initiative' prosecution sputters as jurors deadlock" *Knoxville News Sentinel* (June 16, 2021) available at <https://www.knoxnews.com/story/news/crime/2021/06/17/anming-hu-case-jurors-trump-china-initiative-trial-deadlocked/7712463002/> (last viewed June 25, 2021).

⁵ Lieu, Hon. Ted, "Reps Lieu, Jones, and Jayapal Urge Justice Department Review of Reported FBI Misconduct Accusing Asian Scientists of Espionage" (June 18, 2021) available at <https://lieu.house.gov/media-center/press-releases/rep-lieu-jones-and-jayapal-urge-justice-department-review-reported-fbi> (last viewed June 25, 2021).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the Assistant United States Attorney for the government herein, via ECF contemporaneous with filing.

/S/ Q. Tate Williams

Quentin Tate Williams